

CHAPTER 3.7 HERITAGE CONSERVATION

1.0 INTRODUCTION

The history and character of Wyong Shire is unique and highly valued by the community. The built environment, cultural landscapes and aboriginal history of the Shire all contribute to this unique character and should be recognised and protected to ensure that current and future generations can gain an understanding and appreciation of the area's historical beginnings.

This Development Control Plan Chapter (DCP) aims to conserve the Shire's unique heritage and provides general heritage principles, objectives and controls relating to development on or in the vicinity of heritage items and Heritage Conservation Areas identified in the WLEP 2013. This chapter provides controls and guidelines for new development, alterations and additions, maintenance, infill development, demolition, subdivision and adaptive reuse. This Chapter must be read in conjunction with other relevant Chapters within DCP 2013.

1.1 Heritage Significance

Heritage significance is based on the understanding that a particular item or area has historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value for past, present or future generations.

Places of heritage significance within the Shire include:

- natural heritage – fossil sites, geological formations, rivers and other cultural landscape heritage assets such as parks, gardens and rural landscapes;
- archaeological heritage – cemeteries, ruins, foundations of early built fabric;
- Aboriginal heritage – Aboriginal reserves/missions, sites of conflict, axe grinding grooves, ceremonial sites, scar trees and occupation sites;
- European heritage – convict settlement sites, government sites, rural cultural landscapes and built heritage including churches, schools, war memorials, transport heritage such as bridges and railways, dwellings, inns and coaching stations, public buildings, commercial development, industrial development, villages and subdivision patterns, maritime heritage including early wharf structures and ethnic heritage including Chinese settlements.

In determining how heritage items and Heritage Conservation Areas should be conserved every proposal must be considered on its merits. Two key objectives in a merit assessment will be to conserve those items and features that are significant, and to ensure that an item remains recognisable of its period. The significance of items and features of a heritage item are determined using the criteria developed by the NSW Heritage Council and are as follows:

- an item is important in the course, or pattern, of NSW's cultural or natural history;
- an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history;
- an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW;

- an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons;
- an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history;
- an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history; and
- an item is important in demonstrating the principal characteristics of a class of cultural or natural places; or cultural or natural environments in NSW.

This Chapter aims to provide guidance for the ongoing care and management of heritage items and Heritage Conservation Areas. This will ensure that Wyong Shire can continue to develop, but in a way that allows its important sites, its history and its character to be retained.

For further information on heritage significance including the types and levels of significance please refer to the NSW Heritage Branch website.

1.2 Heritage Items and Heritage Conservation Areas

1.2.1 Heritage Items

A heritage item is defined as a building, work, archaeological site, tree or place that has heritage significance. Heritage items can be built or natural forms, archaeological or maritime heritage, movable heritage or items/sites that are significant to Aboriginal people. The NSW Heritage Act 1977 and the Environmental Planning and Assessment Act, 1979 provide the legislative framework for heritage management in New South Wales. Heritage items which are identified in Schedule 5 of WLEP 2013 are administered under these two Acts.

In addition, any known Aboriginal sites, places and relics in the Shire are identified in the Aboriginal Heritage Information Management System (AHIMS) Register and are administered under the National Parks and Wildlife Act 1974; works affecting such sites must be referred to the National Parks and Wildlife Service.

1.2.2 Heritage Conservation Areas

A Heritage Conservation Area is a geographic area containing many different elements which collectively have heritage significance. It may consist of a particular precinct, streetscape, suburb, landscape, town or group of buildings and collectively has particular values which distinguish it from other places and from its surroundings. It is an area in which its historical origins and contributory elements create a sense of place that the community values.

A Heritage Conservation Area is identified by assessing its heritage significance and the characteristics and elements that make up that significance. These can include subdivision patterns, consistency of building materials, consistency of building styles, the common age of the building stock, planting elements, common uses and/or a layering of historical elements that provide evidence of the development of the area through various periods.

1.3 Objectives of this Chapter

The aim of this Chapter is to conserve Wyong's environmental heritage through promoting appropriate and sensitive development. It is not the intention to unnecessarily restrict development. This Development Control Plan Chapter aims to guide and provide a management framework for the development of:

- heritage items (as defined in the WLEP 2013);
- land in the vicinity of heritage items;
- land within a Heritage Conservation Area.

The objectives of the plan are:

- To conserve the heritage significance of the built and natural environments
- To ensure that new development is sympathetic to the identified heritage significance
- To ensure the retention of heritage items and contributory items
- To provide guidance for development in relation to heritage items and Heritage Conservation Areas
- To provide controls for encouraging contemporary design sympathetic with the identified heritage significance
- To enable appropriate and expert consideration to be given by applicants and the Council to development relating to heritage assets
- To promote public awareness and appreciation of heritage conservation
- To provide incentives for owners of properties that are listed as individual heritage items or located in a Heritage Conservation Area
- To facilitate the implementation of the objectives and provisions relating to heritage conservation which are contained within the WLEP 2013

1.4 Land to which this Chapter Applies

This Chapter applies to all land within Wyong Shire to which WLEP 2013 applies.

Prospective applicants must refer to Schedule 5 of WLEP 2013 to ascertain if a site is a heritage item, or is located within a heritage conservation area.

If the site is a heritage item or is located within a Heritage Conservation Area applicants must refer to clause 5.10 of WLEP 2013 and to this Chapter for the relevant provisions.

1.5 Glossary

Note: Generally, the terms used in this Chapter have the same meaning as those terms are defined within the WLEP 2013. Where a term is defined within the WLEP 2013, it is not repeated here. The following additional terms are relevant to this Chapter:

adaptation means modifying a heritage place to a new use that conserves its heritage values.

alter in relation to a heritage item means physical changes to the fabric, setting or layout of a heritage place.

archival record means a record of evidence, including written, photographic, illustrative, diagrammatic and/or video evidence that identifies the environment, aesthetics, technical skills, and customs associated with the creation and use of the heritage item.

building element means an architectural component of a building or site.

compatible use means a use which involves no change to the significant fabric of a building or work, or changes which are substantially reversible, or changes which make a minimal impact.

conservation means all the processes of looking after a building or work so as to retain its heritage significance. Conservation can include maintenance, preservation, restoration, protection, reconstruction and adaptation.

contributory building means a building or building element identified in WLEP 2013 and other buildings identified as contributory in a Heritage Impact Statement or Conservation Management Plan.

fabric means all the physical material of a site, building or work.

form means the overall shape and volume and the arrangement of the parts of a building.

heritage interpretation is the process of explaining or representing the heritage significance of a place to the community.

Heritage Inventory Assessment Report means a report taken from the Heritage Inventory database for a heritage item.

historic character means the combination of particular characteristics or special qualities of a place related to its period of style or construction.

infill development means a new building in an established and developed area which is adjacent to or in the vicinity of a heritage item or Heritage Conservation Area.

measured drawing means a technical or architectural record of the heritage item in its existing state.

natural heritage means natural features consisting of physical and biological formations or groups of such formations, which demonstrate natural significance. Geological and physiographical formations and precisely delineated areas that constitute the habitat of indigenous species of animals and plants, which demonstrate natural significance, and/or natural sites or precisely-delineated natural areas which demonstrate natural significance from the point of view of science, *conservation* or natural beauty.

natural significance means the importance of ecosystems, biodiversity and geodiversity for their existence value or for present or future generations, in terms of their scientific, social, aesthetic and life-support value.

neutral building means a building or building element that neither contributes nor detracts from the significant character of the Heritage Conservation Area.

non-contributory building means a building or building element that detracts from the significant character of the Heritage Conservation Area.

preservation means maintaining the fabric of a building or work in its existing state to prevent deterioration.

reconstruction means returning a building or work as nearly as possible to a known earlier state and is distinguished by the introduction of materials old or new into the fabric.

restoration means returning the existing fabric of a building or work to a known earlier state by removing accretions or by reassembling existing components without the introduction of new materials.

setting means the context within which a structure is located with respect to streetscape.

Statement of Significance means a statement or document that describes and explains the characteristics which give an item its heritage significance.

vicinity means land or surroundings that have a physical or visual relationship to the site of a heritage item or Heritage Conservation Area.

1.6 Application Requirements

REQUIREMENT

Council should be consulted before carrying out any works to buildings or sites which are listed as heritage items, are in the vicinity of a heritage item, or which are within a Heritage Conservation Area. A development application for works on or in the vicinity of a heritage item or Heritage Conservation Area may need to be accompanied by any of the following:

- a Heritage Impact Statement;
- b Conservation Plan;
- c Demolition Report;
- d plans for an appropriate replacement building;
- e Archival Record.

Please refer to the Heritage Branch website of the Office of Environment and Heritage for relevant publications that provide guidance on assessing the impacts of proposed development on the heritage significance of heritage items.

1.6.1 Preparing a Heritage Impact Statement

- a A Heritage Impact Statement will be required for development related to a heritage item or within a Heritage Conservation Area. Any heritage impact statement should address the impact of a development on the heritage significance of the place, as well as the impact on a Heritage Conservation Area in terms of streetscape. Where a heritage item is of State significance a more detailed Conservation Plan or Strategy may be required.

- b A Heritage Impact Statement should include:
- i a statement demonstrating the heritage significance of a heritage item, archaeological site, place of Aboriginal heritage significance or Heritage Conservation Area, referred to as a 'statement of significance'; and
 - ii an assessment of the impact that proposed development will have on the significance of the heritage item, archaeological site, place of Aboriginal heritage significance or Heritage Conservation Area; and
 - iii proposed measures to minimise that impact; and
 - iv consideration of any recommended management policies contained in the Heritage Inventory Assessment Report for the heritage item, Heritage Conservation Area or streetscape.

Detailed guidelines for preparing a heritage impact statement are available from the NSW Heritage Branch website.

1.6.2 Preparing a Conservation Plan

The purpose of a Conservation Plan is to evaluate the significance of the heritage item and to make detailed recommendations on its continuing conservation and management.

- a A Conservation Plan is required for development proposals involving heritage items which are listed on the State Heritage Register as an item of State significance.
- b A Conservation Plan may be required for significant, extensive or complex development proposals involving local heritage items.
- c The Conservation Plan must be carried out by a suitably qualified heritage consultant and should consider compliance with any recommended management policies contained in the Heritage Inventory Assessment Report for the heritage item, Heritage Conservation Area or streetscape.

1.6.3 Preparing a Demolition Report

A demolition report is required for applications where total demolition is proposed. A demolition report should include the following:

- a structural engineer's report which assesses the structural condition of the item; and
- b a quantity surveyor statement comparing the cost of demolition and cost of retention where demolition is sought primarily on economic grounds.

1.6.4 Preparing an Archival Record

An Archival Record is made of a heritage item as a way of contributing to our understanding and appreciation of our culture and history. They record for the future the environment, aesthetics, technical skills and customs associated with the creation and use of heritage items before they are lost, either by progressive changes or the passing of time.

- a Archival Records are usually prepared:
 - i when establishing the heritage significance of the item;

- ii before making decisions on the management of the item (e.g. when preparing a conservation plan);
 - iii when developing or carrying out a maintenance and monitoring program for the item (e.g. for annual maintenance inspections);
 - iv before and during work to the item (e.g. alterations and additions);
 - v before full or partial demolition of the item or relocation of objects or collections; and
 - vi before and during archaeological investigations.
- b A photographic survey and measured drawings of the item clearly identifying previous alterations, dates of construction and materials is required where application for total demolition is made. Preparation of such an archival record is generally a condition of approval. The archival record shall be consistent with the guidelines provided by the NSW Heritage Council 'Heritage Information Series: How to Prepare Archival Records of Heritage Items' available from the Heritage Branch website.

1.6.5 Heritage Inventory Assessment Report

Council maintains a Heritage Inventory database which lists all heritage items within the Wyong Local Government Area. Each listing contains a Heritage Inventory Assessment Report that includes the following information:

- a description of the item;
- a Statement of Significance;
- recommended Management Provisions.

The Heritage Inventory Assessment Report is considered by the Council when assessing development applications. The recommendations in the Report should form the basis of all applications for development involving heritage items and items within a Heritage Conservation Area. A copy of the report can be provided to the applicant upon request.

1.7 Assessment Requirements

The Council shall not grant consent to a development application unless it has made an assessment of:

- a the significance of the item as a heritage item;
- b the extent to which the carrying out of the development in accordance with the consent would affect the heritage significance of the item and its setting having considered a statement of heritage impact supplied by the applicant;
- c whether the setting of the item, and in particular, whether any stylistic, horticultural or archaeological features of the setting should be retained;
- d whether the item constitutes a danger to the users or occupiers of that item or to the public; and
- e measures to be taken to conserve heritage items identified in any conservation plan prepared by the applicant.

2.0 GENERAL CONTROLS AND GUIDELINES

2.1 Obtaining Development Consent

- a The Council must take into consideration the likely effect of the proposed development on the heritage significance of a heritage item, when determining an application for consent.
- b Development on or in the vicinity of a heritage item or Heritage Conservation Area is guided by the provisions of WLEP 2013 and DCP 2013. Some works on or in the vicinity of a heritage item or Heritage Conservation Area may not require Council consent under State Environmental Planning Policy (Exempt and Complying Development Codes) or (Codes SEPP). Applicants should refer to the Codes SEPP prior to submitting an application for development involving works to a heritage item or within a Heritage Conservation Area.
- c Development consent is required for works to a heritage item as required under WLEP 2013 and including proposals that involve:
 - i demolition, in whole or in part, of any buildings, works or horticultural features of a heritage item;
 - ii altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 of WLEP 2013 in relation to the heritage item;
 - iii alterations and additions to a heritage item including:
 - verandah enclosures and reinstatements;
 - front fences;
 - additional, or changes to the materials of existing, windows and doors;
 - extensions, whether visible from the street or not;
 - skylights or other structures, such as solar panels, ventilators, attached to the exterior or roof of a building;
 - roof and wall recladding (change of materials only);
 - swimming pools and tennis courts;
 - pergolas and garden structures requiring development consent;
 - iv erecting a building on or subdividing land on which the heritage item is located;
 - v demolition of any existing subsidiary structures such as garages and carports;
 - vi carports and garages, including those fronting rear lanes;
 - vii disturbing or excavating an Aboriginal place of heritage significance;
 - viii disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed.
- d All Development Applications for the above works are to be accompanied by a Heritage Impact Statement.

2.2 Development in the vicinity of a Heritage Item

- a Consent is generally needed for development in the vicinity of heritage items, including:
 - i new buildings on vacant sites;
 - ii complete demolition of existing buildings and new infill development;
 - iii partial demolition and/or extensions and additions, where such development would be visually obtrusive in the context of the heritage item and its setting;
 - iv carports, garages or fences which would adversely affect the streetscape that forms the context of the heritage item;
 - v carparks;
 - vi major signage structures.
- b Development in the vicinity of a heritage item must not dominate or detract from the heritage significance of the heritage item or Heritage Conservation Area and should be sympathetic with the item or area in terms of the:
 - i building envelope;
 - ii proportions;
 - iii materials, colours and finishes; and
 - iv building and street alignment.
- c Development in the vicinity of a heritage item or Heritage Conservation Area is to minimise the impact on the setting of the item by:
 - i providing an adequate area around the building to allow interpretation of a heritage item;
 - ii retaining original or significant landscaping, including planting with direct links or association with the heritage item;
 - iii retaining and respecting significant views to and from the heritage item.

2.3 Demolition and Replacement Development

- a An application for the demolition of a heritage item, or structure within a Heritage Conservation Area will only be considered in conjunction with:
 - i a development application for the development of an appropriate replacement building;
 - ii a Heritage Impact Statement that includes options for adaptive reuse;
 - iii a demolition report that considers the structural stability and future viability of the building in the form of a structural engineer's report;
 - iv a quantity surveyor statement comparing the cost of demolition and cost of retention where demolition is sought primarily on economic grounds; and

- v other consultant's report(s) as required, for example, archaeologist report, historian report.
- b Submitting the necessary reports or justifications does not imply that the consent authority will agree to the proposed demolition.
- c Where demolition is permitted, an archival record must be submitted to Council prior to commencement of demolition. Details on the requirements for preparing an archival record are provided in this Chapter.

2.4 Removal of Trees and Trees Impacted by Development

- a Applications for the removal of any tree within the curtilage of a heritage item or within a heritage conservation area are to be accompanied by Heritage Impact Statement and an Arborist Report prepared by a qualified Arborist.
- b Applications for development which may impact any tree within the curtilage of a heritage item or heritage conservation area are to be accompanied by an Arborist Report prepared by a qualified Arborist. The report is to identify the impact of the development on the tree(s) and proposed method of tree retention.
- c The above requirements are limited to trees or other vegetation that the Council is satisfied does not present a risk to human life or property.

2.5 Relocation of Structures

- a Structures should be retained in their present location. The relocation of a structure will only be considered if it is determined that:
 - i the structure is designed to be readily removable, or has a history of previous moves (e.g. prefabricated dwellings); or
 - ii the structure does not have a strong association with its present site.
- b Prior to consent being granted to the relocation of a structure the applicant is to demonstrate, to Council's satisfaction, that:
 - i the structure will be moved to an appropriate setting and given an appropriate use;
 - ii the relocated structure will not impact on any place or any item of heritage significance once relocated;
 - iii the relocated structure does not confuse or impact on the history of its new site and can be interpreted as a relocated structure; and
 - iv a structural engineers report is to be included that verifies that the structure can be relocated without adversely impacting on the fabric or structural integrity.

2.6 Essential Maintenance

Council may waive the requirement for a development application where works can be demonstrated to be essential maintenance only. For the purposes of this Plan:

- a essential maintenance includes works required to be undertaken because of structural inadequacy or concerns about public safety;
- b reconstruction approved as part of essential maintenance shall be limited to the form of the existing structure, or to a known earlier form in accordance with the definition of reconstruction contained in this Plan.

2.7 Alterations and Additions

- a Alterations and additions to heritage items should:
 - i avoid changes which distort the significance of the place or falsify evidence of its history. New work should not mimic the original or significant fabric and should be discernible as new work;
 - ii consider the contribution of all periods of development or use to the heritage significance of a place and provide justification where significant elements are to be removed;
 - iii avoid new features on the front facades of buildings;
 - iv ensure changes to fabric are reversible where possible and their effect on the heritage fabric and other characteristic features is minimised;
 - v ensure an appropriate setting is maintained;
 - vi ensure structures are retained in their present location where the location contributes to the significance and interpretation of the heritage item. If a structure does not have strong association with its present site or location, for example, a structure that was designed to be readily removable or that has a history of previous moves, Council may consider removal to be appropriate;
 - vii ensure where possible, extensions are located to the rear and are sympathetically designed.
- b Alterations and additions to heritage items shall conform to the following provisions with respect to individual elements of the building and setting:

2.7.1 Second Storey Addition

It is considered that provided the house still appeared to be single storey from the street it would be possible to build a second storey in the roof space, if it were carefully designed and does not present as a full two storey house.

- a Second storey additions are only permitted toward the rear of the site. Given the desired ground floor level of such alterations, second storey additions can be largely accommodated with an increase to the ridge height of no more than 25%, and provided at least 65% of the original house is retained. The roof of the new addition should be integrated with the existing roof form to avoid extensive vertical wall surfaces at the upper level. The second storey addition should not destroy the defining characteristics, scale and proportions of the single storey form and should be sympathetic with, but discernible from, the original fabric.

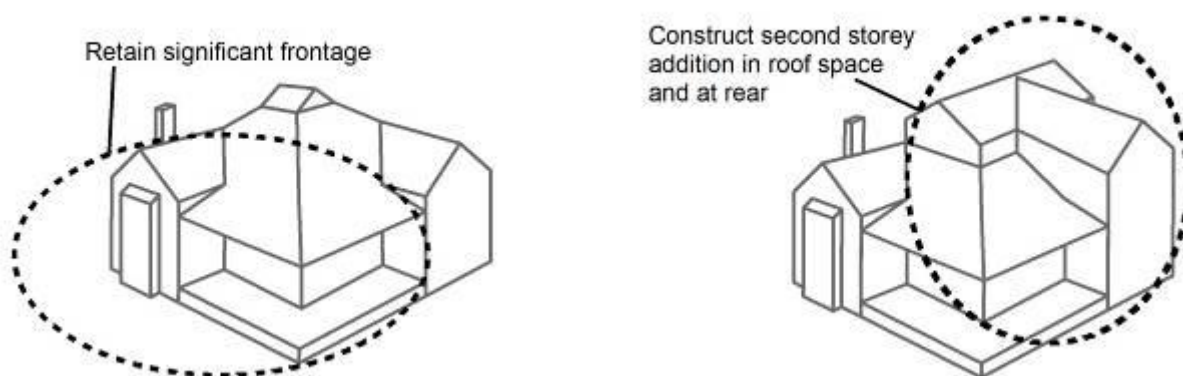


Figure 1 Example of second storey addition

2.7.2 Roofs

- a Roofs of extensions should be carefully related to the existing roof in materials, shape and pitch, replacement materials shall match existing or use approved alternatives.
- b New buildings should have roofs that are sympathetic with the size, shape, pitch, height, bulk and materials of the existing roof.
- c Roof additions should generally be confined to the rear of the existing building and should not alter the essential form and character of single storey buildings.
- d Dormer windows to attic rooms are generally inappropriate unless these cannot be seen from the street. Windows of suitable scale to gable ends and gablets and in-plane flat skylights are generally acceptable on rear faces of roofs and where these will not be visible from the street.
- e Attic rooms in extensions shall be generally contained within the existing roof form and shall not be visible on the principal elevations.
- f Providing the existing roof volume is sufficiently large and the roof profile is generally maintained, a habitable attic room may be created. Dormer windows or gablets are only suitable for styles up to the Federation era and should not be excessively large for the roof surface relative to the main roof form or differ in pitch to the existing roof and should generally be located to the rear.

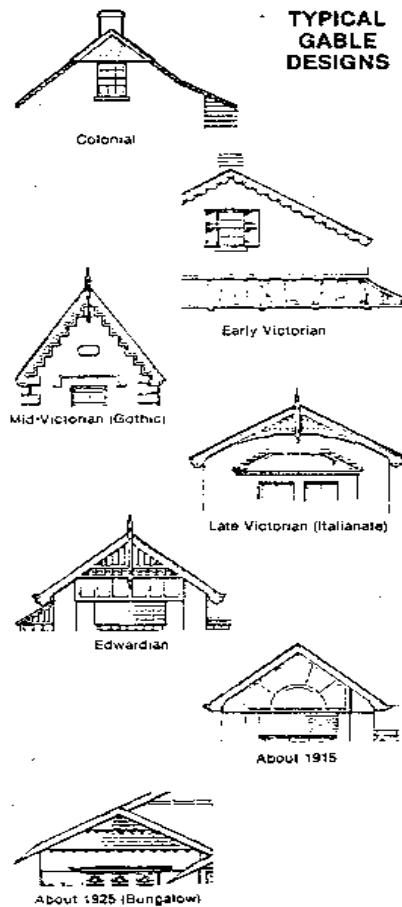


Figure 2 Typical gable designs – heritage buildings

- g Additions to the roofs of Federation style houses should be in a traditional gabled, hipped or lean-to form, matching the materials and roof pitch of the original structure. The design of larger Federation mansions may lead itself to the construction of a tower room. However, great care is required when applying tower rooms to smaller buildings.
- h The limited headroom in the roof space of the lower pitched California Bungalow and the later 1930's bungalows generally precludes additions within the existing roof envelope. Glassed in infills on the main street facing gables of Federation and standard California Bungalow styles is generally unacceptable.

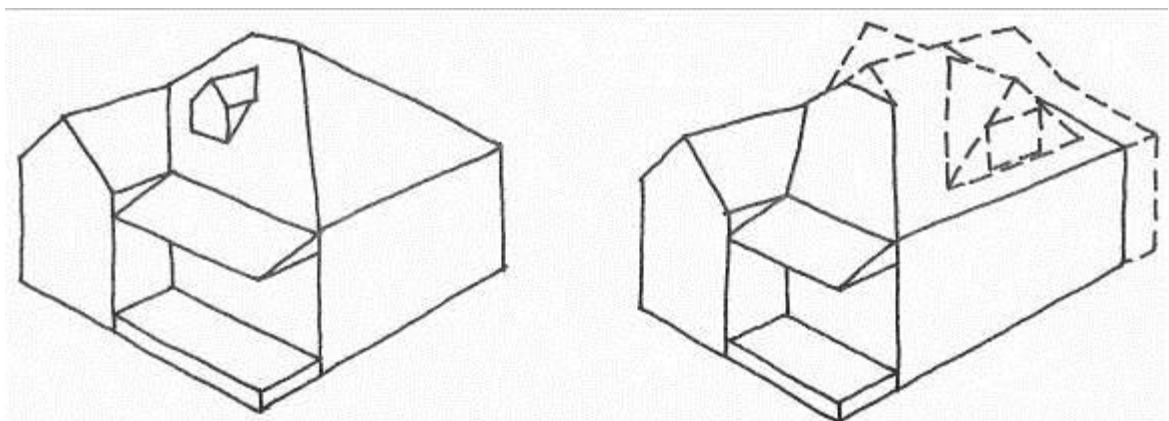


Figure 3 Example of appropriate roof addition

2.7.3 Basement Addition

- a A basement addition is created by constructing rooms within the foundation area and may possess a large underfloor area which can often be excavated to provide additional living space.
- b Before initiating this form of construction carefully consider the type of materials to be removed, access for machinery and equipment, the removal of piers and installation of alternative supporting structures, drainage and the possible need for retaining walls. Care must be exercised to ensure adequate underfloor cross ventilation and to avoid water seepage or rising damp. Engineering advice is recommended and will probably be required.
- c Additional considerations include the placement of stairs and their effect on other areas of the house, the appearance of new windows and exterior doors which should be designed in terms of the overall appearance of the building and retention of most of the original foundation.
- d Due to its constraints, this form of addition is not highly recommended though sometimes garages can be accommodated in undercroft areas.
- e Consider whether any archaeological site or potential archaeological site would be adversely affected by the proposed development.

2.7.4 Doors and Windows

- a Where possible, retain and repair/restore original doors and windows. Authentic reconstruction of similar material to the original is encouraged where repair of the original doors and windows is not possible.
- b Original leadlight and coloured glass panes should be kept. Modern aluminium windows are not favoured.
- c New doors and window openings should reflect the existing style, size, proportion, position and where possible match all sill and head heights of existing doors and windows.
- d Where sites are severely constrained a dormer or similar addition that is in keeping with the original building style, may be permitted on the front elevation of the building.

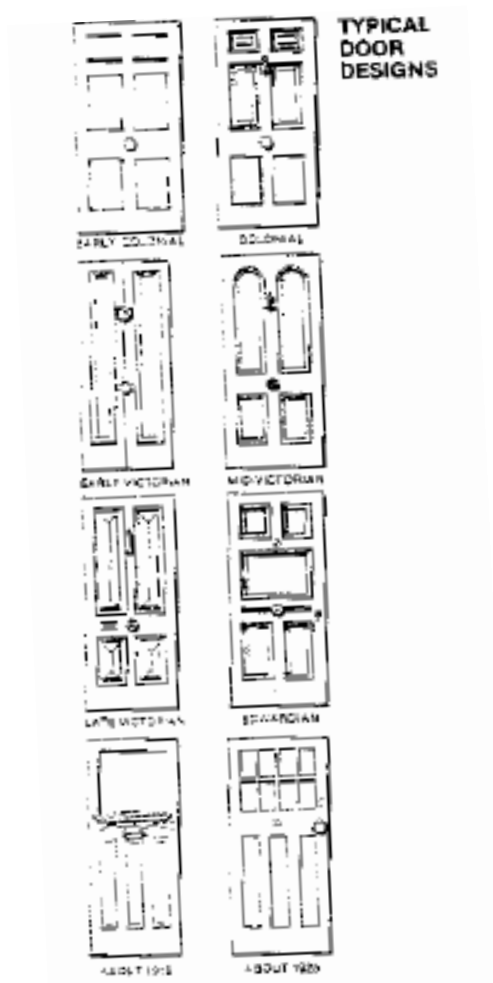


Figure 4 Typical door designs – heritage buildings

2.7.5 Walls

- a Alterations of the form and materials of principal elevations is not favoured: removal of the external skin or rendering of exterior walls is not favoured unless associated with acceptable reconstruction works and unpainted surfaces should not be painted.
- b Matching materials shall be used in repairing the fabric of external surfaces.
- c New development shall use materials similar to or compatible with that of the original building.

2.7.6 Wing Addition

- a Wing additions must be added at the side or rear of the building to minimise disruption to the main elevation and the streetscape. Wing additions must not compromise the heritage significance or interpretation of the place.
- b The size and slope of the land and the form of the house will usually dictate the location of the wing, which is generally better suited to asymmetrical buildings.
- c Where the original design produced an irregular plan and roof shape, an additional wing, gablet or dormer to one side may reinforce this theme. The additions should:
 - i not be located in the same elevation plane as the original work;

- ii be stepped back or projected forward of the original elevation plane so as not to dominate the original work;
 - iii not project forward of the main façade and may ideally be setback behind the main façade a distance equivalent to the depth of the front setback.
- d Side additions should not remove the possibility of car access to the rear of the site unless there is alternative rear lane access.
- e The existing roof form and pitch should be repeated and new detailing should reflect the gables, hips, eaves, ventilation, window hoods and other projections of the main roof.

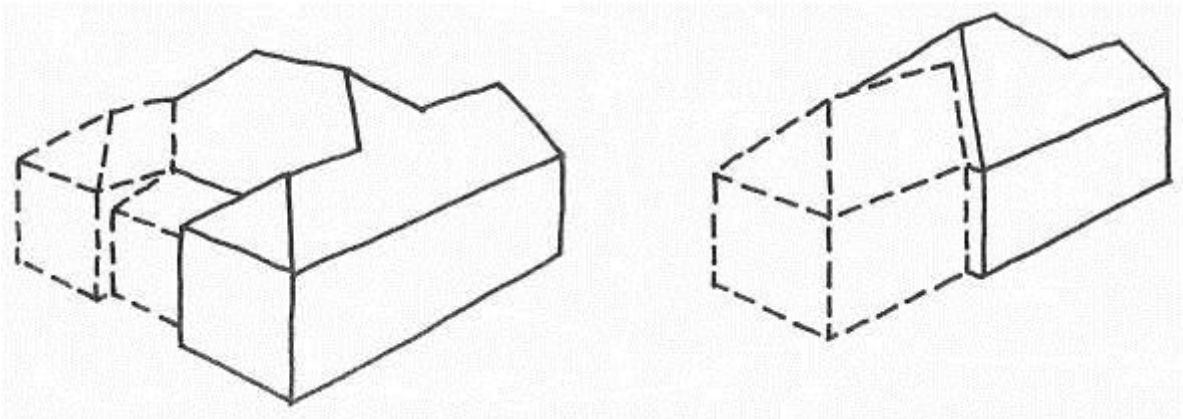


Figure 5 Examples of appropriate wing additions

2.7.7 Lean To Addition

- a Where lean to additions are constructed at the rear and are not visible from the street, materials should be sympathetic with the significant building or building elements but need not match the original.
- b The size of the lean to addition will be limited by the need to provide adequate head height, depending on land slope.
- c Light access can be improved with a lean to addition by adding gables or skylights to the rear face of the roof.

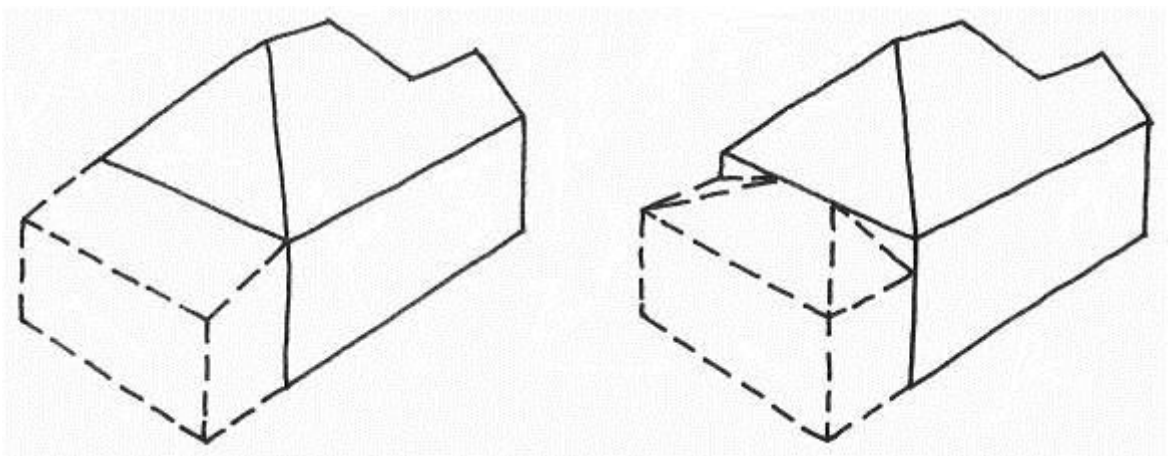


Figure 6 Examples of appropriate lean to additions

2.7.8 Pavilion Addition

- a A pavilion addition involves constructing a separate block element which may repeat the general form of the original house. A pavilion addition may be an appropriate design solution where the original design would be upset by a lean to or wing addition, or where the use of either of these would result in the loss of natural light or views.
- b Pavilions may be connected to the main building by a breezeway or small utility area, such as a laundry or bathroom.
- c Pavilions may be an appropriate design solution for long and/or narrow allotments and can be functionally integrated with landscaping to provide internal courtyards.

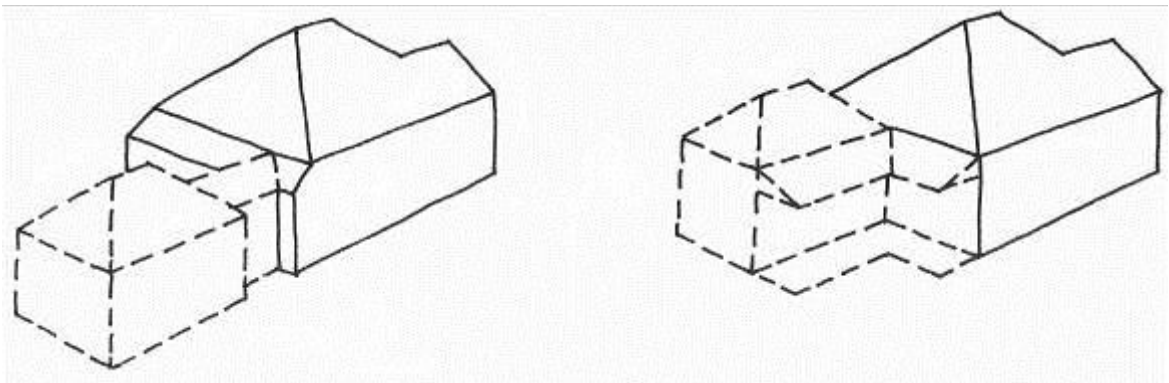


Figure 7 Examples of appropriate pavilion additions

2.7.9 Chimneys and Other Roof Structures

- a All chimneys should be retained internally and externally and, where necessary, repaired, even if the fire place is no longer used: demolition of chimneys is not favoured unless necessary for structural reasons and preceding construction.
- b Skylights or other structures attached to the exterior roof, such as solar hot water heaters, ventilators, satellite dishes and the like, shall not be located where visible on the principle elevations of buildings.

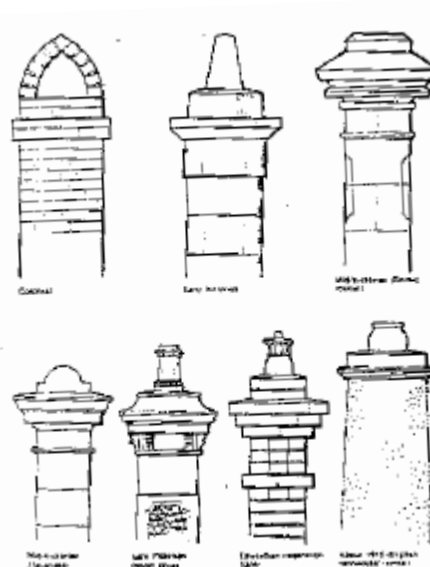


Figure 8 Typical chimney designs – heritage buildings

2.7.10 Garden Sheds, Store Sheds and Other Outbuildings

- a In considering any application for permission to erect a garden shed or store, Council shall consider:
- i the proposed form, scale, size, materials and colours;
 - ii the location of the proposed structure in relation to the principal building, boundaries and other details of the site;
 - iii the relative prominence and visibility of the proposed structure from the street frontage or frontages of the site and neighbouring properties;
 - iv the desirability of, or need for, landscaping such as screening or planting, to reconcile a proposed structure with its intended site.
- b Preferred shapes, roof form and materials are:
- i simple plan shapes, square or rectangular, without complicated or interconnected shapes and with doors and windows of appropriate vertical proportions;
 - ii simple hipped, gabled or skillion roof forms of the smallest practicable scale in a given situation, the use of lean-to or skillion roofs over any forms attached to the main part of the structure will help minimise scale;
 - iii building materials that have been traditionally used in the locality or main building.

2.7.11 Internal Works

Development consent is needed for structural changes to the interior of heritage items. Alterations to the room layout of heritage items are to ensure that the original room configuration remains discernible and can be interpreted.

2.7.12 Window Sunhoods, Blinds, Awnings, Skirts

In altering existing houses, original sunhoods, blinds, awnings and skirts should be retained and repaired. Authentic construction or reconstruction is supported.

2.7.13 Fences

- a Original fences are to be retained and repaired where possible.
- b Fence details should be simple rather than complex and match the style of the house.
- c Open or partially transparent fence styles such as picket or palisade fences are to be no higher than 1200mm with posts and piers no higher than 1500mm.
- d High solid fences of any material on front alignments are generally not acceptable.
- e Solid masonry fences no higher than 900mm in height above footpath level (excluding the height of any retaining wall) are acceptable.
- f New side and rear fences are to be no higher than 1800mm.

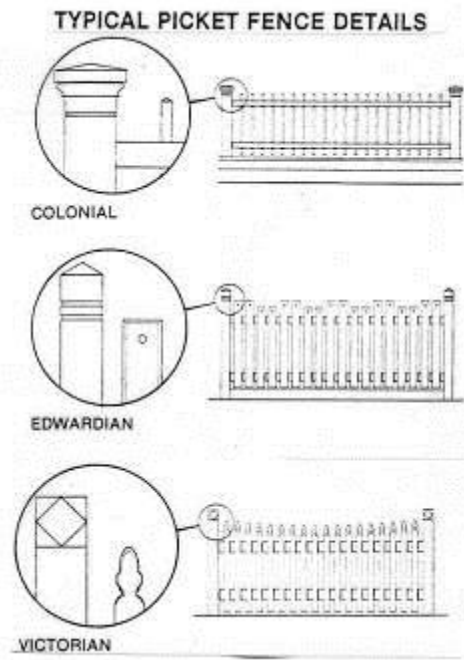


Figure 9 Typical fence picket details

2.7.14 Garden Elements including Paving and Driveways

- a Surviving original garden elements should be retained, repaired and maintained. Appropriate reconstruction of lost garden elements is encouraged.
- b Garden design elements and plant species should, where possible, apply the same style as the established gardens within the grounds (curtilage) of the item.

2.7.15 Verandahs

- a Removal of verandahs is not favoured. Authentic construction or reconstruction is supported.
- b In altering existing buildings, original verandahs should be kept, repaired and respected. Additional verandahs should not compete with the importance of the original and should be simple in design.

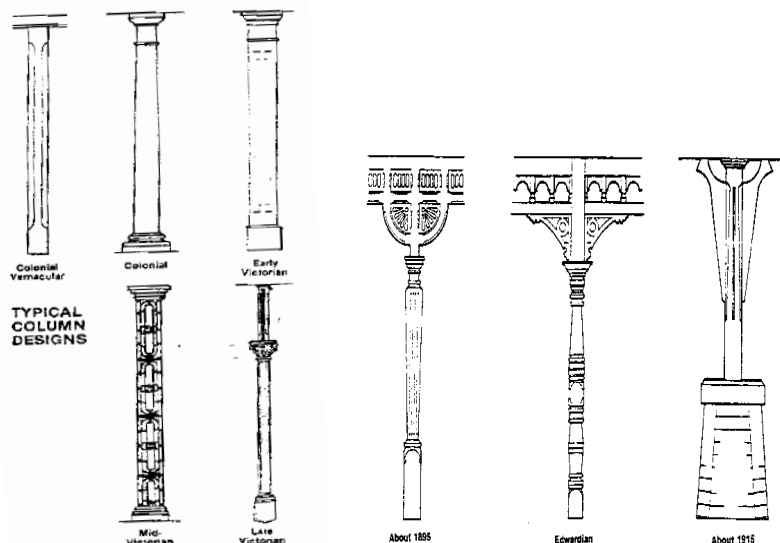


Figure 10 Typical verandah details – heritage buildings

2.7.16 Garages and Carports

- a New garages and carports should:
- i have regard to the effect on their sites. They should generally be located behind the existing principle buildings, unless there are no other alternative off-street locations;
 - ii be of simple appropriate design, attuned to the design of the individual building to which they are functionally attached and not overly elaborate.
- b Attachment of garages and carports to the buildings they service is generally not favoured and will only be acceptable where:
- i the structure is located at the rear of the building and is not visible from the surrounding streets;
 - ii forms part of a basement level (which in all other respects meets with the guidelines) or it is well setback from the front facade and unobtrusively attached.
- c Rear lane access shall be used wherever available.
- d The retention, repair and restoration of significant older garages is encouraged.

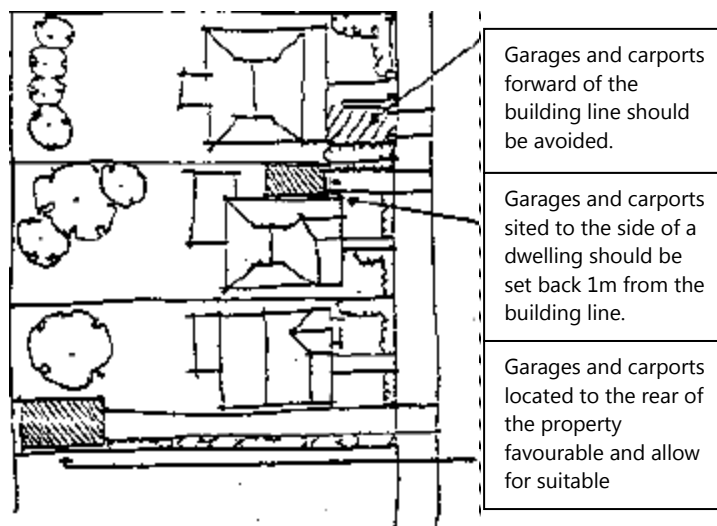


Figure 11 Garage locations

2.7.17 Colour Schemes and Materials

The following requirements apply to development that proposes changes to the material, colour, texture or finish of a heritage item (please refer to Section 2.14.7 for colour scheme requirements for infill development):

- a Details of the proposed colour scheme are to be provided with the Development Application.
- b Applicants are to demonstrate how colour selection has been informed by original finishes and colours; paint scrapings and early photographs may enable building owners to approximate early or sequential and appropriate colour schemes.
- c Materials are to be used in building elements that reflect their characteristic usage, e.g. stone for foundations.
- d Rendering and/or painting original face bricks and sandstone is not permitted, unless evidence is submitted to Council that their condition has been irreversibly altered.
- e Applicants should refer to the commercial ranges of 'traditional' or 'heritage' colours from major paint suppliers to assist in selecting authentic colour schemes.
- f Applicants should ensure that new finishes are compatible with the existing substrate and prior applied finishes. The following Heritage Council publication is to be consulted: *Maintenance Series 7.2: Paint Finishes; researching and uncovering authentic paint schemes and how to conserve them*, This is available for download from www.environment.nsw.gov.au/heritage/publications/
- g Historic Colour Scheme Characteristics – the following descriptions provide guidance to applicants on the characteristic colour schemes of heritage building types of a particular era and should be referenced when proposing changes to materials and colour schemes:
 - i *Vernacular Rural Buildings: 1880 – 1900* – Generally painted weatherboards, galvanised iron walls and roofs with pink beige and buff timber, unpainted brick and stone and unpainted sheet iron. Windows were generally cream with red or green frames;
 - ii *Federation and Edwardian era: 1900 - 1915* – Unpainted face brick walls and sandstone foundations. Pressed red brick or red-ochre dressed front elevations. Polychromatic brickwork including contrasting blues or buffs for arched lintels and string courses. Cheaper, variable common bricks were used for the lesser elevations. Strong colours used in trims, timberwork painted in a light colour;
 - iii *Inter War: 1915 - 1930* – The Bungalow dominated housing with lower sections, below eaves or window sills, face brick with upper sections roughcast or shingled gable. Exteriors used no more than two colours with a green or red contrasted with a pale cream, off white or beige;
 - iv *Art Deco and Modern style buildings*, particularly commercial premises were predominantly either natural materials such as brick and stone with strong horizontal and vertical courses and mouldings, or rendered facades in white and off white with pale colours to contrast the applied mouldings.

2.8 Commercial Buildings

Alterations and additions to existing commercial buildings should maintain their existing and/or historic style and details, while new commercial buildings should follow the basic pattern of development that characterises, maintains and enhances existing streetscapes. The following requirements apply to heritage items and buildings within a Heritage Conservation Area.

2.8.1 Building Orientation

- a Generally, commercial buildings should be constructed to the street alignment.
- b If, in Council's opinion, an existing setback makes a positive contribution to the streetscape then it shall be retained.
- c The front façade of buildings shall be orientated towards the street.
- d Corner buildings should 'turn' the corner with their main point of entry either on the corner itself or on the street to which it fronts the road.
- e Façade alignments should not be stepped or curved in plan. An exception to this requirement is that ground-floor shopfronts that follow the traditional pattern of a stepped-in entrance between window bays are encouraged.

2.8.2 Architectural Elements

- a Original characteristic architectural elements are to be retained. Alterations to these elements or the use of materials or the adaptation for access for example, should be sympathetic. Architectural styles which detract from this character will not be permitted.
- b The reinstatement of original characteristic architectural elements that have been removed is encouraged. Where a building is part of a „set“, other, more intact, buildings in that set can provide guidance as to appropriate reinstatement works.
- c Alterations and additions to buildings within a 'set' are not to diminish the coherency of that set.
- d Openings to verandahs and balconies of new developments are to be of small scale in relation to the façade of the building. Balcony and verandah railings and supports should not be a dominant feature. Metal railings, glazing and concrete supports are inconsistent with the character of the Heritage Conservation Area.
- e Maintenance, reinstatement work and alterations and additions to existing buildings is to be of a material matching the original construction.
- f Individual architectural features are not to be removed or obscured.

2.8.3 Awnings

- a Retail/commercial buildings shall generally have awnings. The materials, height and architectural styling should match traditional adjacent awnings.
- b Retain existing awnings on all commercial buildings, encouraging their conservation and reconstruction of missing details where appropriate.
- c Awnings on all new buildings, or alterations and additions to existing buildings must avoid modern or pseudo-historic materials and details, such as aluminium lace, metal pipe framing or tightly rolled bull nosed iron.
- d Awnings on new buildings must correspond to the building by extending to adjacent awnings to provide continuous weather protection for pedestrians beneath.
- e Awnings should not run unbroken across adjacent buildings where they are clearly of different construction, even though they may now function as one.
- f New or reinstated awnings must be set back from the kerb by approximately 300-600mm, or otherwise as required by Council policy, to minimise the risk of damage by motor vehicles.
- g Where the base of posts has rotted, galvanised steel brackets or straps may be used to support the post, however these should be no more than 5-10cm high and clad in a skirting type profile. If the post has rotted beyond retention it should be replaced with one of a similar timber species, size and detailing to match.
- h Alterations and additions to existing buildings must be of an appropriate style and detail for the design of the building where the original awning is reconstructed.
- i Suspended awnings must not be adapted with false posts to imitate traditional verandahs.
- j Sunblinds as traditional practical features are encouraged in appropriate locations.

2.8.4 Doors and Windows

- a The design of windows and doors in new development should be drawn from traditional characteristic door and window patterns.
- b Replacement windows and doors must match the original characteristic pattern and materials.

2.8.5 Roofs and Roof Structures

- a Roofs should be gabled, hipped or hidden from the street by parapets. Where there is no parapet, roof pitch shall be between 30 and 35 degrees or similar to the significant streetscape.
- b Retain and restore parapets to existing commercial buildings where they exist.
- c Packaged air conditioners and mechanical exhaust fans and grills shall not be placed on street facades or on any part of the building that can be seen from the street.
- d Skylights, solar heating panels, satellite dishes and other non-traditional elements are considered to be intrusive and should not be located where visible from the street and other public spaces.

2.8.6 Shopfronts

- a New commercial buildings should include a traditional glazed shopfront arrangement in relation to the division of the glazing by mullions and transoms, similar to those within the vicinity and provide for mobility access.
- b Original shopfronts are to be retained; restoration and reinstatement of original shop-fronts is encouraged.
- c Alterations to glazed area, fixed canopies, awnings, blinds or security screens are to maintain the narrow-fronted vertical proportions of the building facade.
- d Shopfronts or fascias of new development are not to extend across two or more separate buildings.
- e Security screens, where considered necessary, are to be placed behind the glass shop-front and should be in an architectural style and materials sympathetic to the style of the building. Only open grill security screens will be considered.
- f Original shopfront glazing or tiling is not to be painted out or obscured.
- g Exposed vents, pipes and the like should not be visible from the street.
- h Alterations and additions to existing buildings should incorporate remnants of original shopfronts into new layouts.
- i New shopfronts should reflect the typical details and finishes which set the significant character of the streetscape.
- j Alterations and additions to existing buildings should retain non-typical shopfronts which indicate the former use of a place, unless there is sufficient historic information to allow accurate reconstruction of an earlier form.
- k The use of traditional gloss ceramic tiles to shopfronts is encouraged.

2.9 Signs

The materials, colours and design of signage varied in different historical periods. Generally, in the period of development which gave heritage buildings and/or heritage conservation areas their character and significance, colours were muted and signs were placed consistently on particular and limited locations on the building. Subsequently, signage has become larger and more dominant and is generally positioned with less cognisance of the form and design of the building and adjacent streetscape. These later elements are now seen as intrusive.

2.9.1 Permissible Signs

The following sign types are permissible with consent:

- a business identification signs;
- b building identification signs.

2.9.2 Unsuitable Signs

- a In accordance with State Environmental Planning Policy No.64 – Advertising and Signage, advertising signs, advertising display areas, and advertising structures are not permitted within a Heritage Conservation Area. Advertising on or within the curtilage of a heritage item is considered unsuitable.
- b Signs types which must not be used include:
 - i internally illuminated (refer to Clause 2.9.4(d)), neon signs, flashing lights or flashing/scrolling signs, except on a small scale within shopfront windows;
 - ii projecting wall signs;
 - iii ridge signs, or mid-span on verandah roof;
 - iv sky signs raised on poles above the roof;
 - v 3-dimensional signs;
 - vi signs mounted on vehicles, trailers or shipping containers that stand continuously stationary for the purpose of advertising on either public or private land.

2.9.3 Existing Signs

- a Any existing signage identified as being of heritage significance should be retained, including building name or date lettering, former business names, and advertising signs.
- b Where a number of signs exist on a building that do not comply with Council Policy as described by this Chapter or other advice provided by Council, a condition will be placed on any subsequent consent that these signs be consolidated. All signs must comply within seven years of notification.

2.9.4 Location of Signs

- a Signage on existing older buildings should be placed in locations which would traditionally have been used as areas allocated to signage. Signs are to be designed to fit within the existing architectural elements of buildings. New signs are not to visually dominate the building and are not to be located in areas that conceal significant elements or architectural features.
- b The use of traditional signage locations, font sizes and styles on all existing or new buildings is encouraged.
- c Signage is to be fixed to buildings in a manner which will eliminate damage to significant building fabric and be reversible, e.g., when fixing to brickwork or stone ensure that the fixing method is located in brick mortar joints and not into the face of the masonry. Mortar joints are easily repairable when signs are removed.

d Signs for retail and commercial buildings are to be restricted to the following types (refer to Figure 12):

- i parapet sign (1);
- ii elevation bay sign (2);
- iii flush wall sign (3);
- iv awning fascia sign (4);
- v under awning sign (5);
- vi top hamper sign (6);
- vii painted or etched window sign (7);
- viii fence sign.

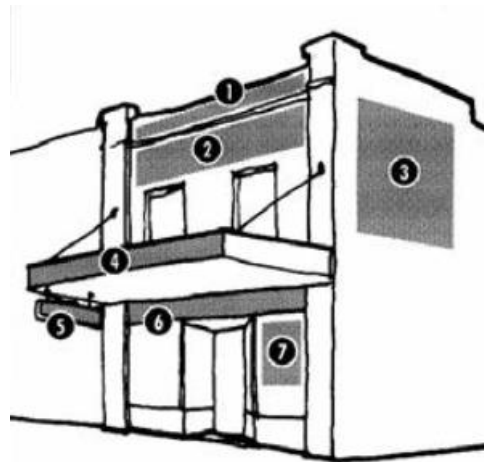


Figure 12 Sign types

e Signs must be located and designed so that:

- i they do not obscure the architectural features of a building;
- ii they are capable of being moved or replaced without damaging building fabric;
- iii the overall number of signs on any one building is reduced, and has consistency in terms of proportions, colour and style;
- iv lettering is in a traditional style consistent with the age of the building and/or any original signage.

f The cumulative visual impacts of signage should be assessed and the number of signs limited appropriately to avoid visual clutter of individual premises and the streetscape.

g All commercial buildings must have a sign with their business name in a traditional style on the awning or verandah fascia.

h Where a building contains more than two tenants, a directory of tenants should be provided at the ground-floor level in order to minimise the amount of advertising on the building.

i Unobtrusive painted signs to upper-storey windows may be permitted at Council's discretion to identify tenants when appropriate wall surfaces or other areas for advertising are not available.

j The erection of roof mounted signs, above-awning signs, projecting wall signs, pylon or pole signs is not supported.

k Decorative forms, mouldings and other distinguishing and significant features of a building must not be obscured by signage.

l Painted signs on shopfront windows must not dominate, obscure the transparency or clutter the shopfront windows.

2.9.5 Number of Signs Permitted

The number of signs per site is a principal mechanism for controlling appearance. Business owners are advised to consider the general streetscape, the visual conflict between signs on adjoining buildings and the equity between businesses in the vicinity. The general options and recommended limits are as follows:

- a forecourt and footpath: one free-standing sign;
- b ground floor façade (refer to Figure 13):
 - i awning fascia (b1);
 - ii one suspended under awning/verandah sign or cantilevered over-footpath sign at standard awning level where there is no verandah (b2);
 - iii above door head/above window transom (b3);
 - iv piers (b4);
 - v below window sill (not recommended) (b5);
 - vi one sign on the hamper panel or glass (b6);
 - vii one decal sign on the shopfront window glass or masonry beside the door;

Permitted Signs: b1, b2, and b6 plus numbers b3 or b4 (i.e. on the ground floor façade there should be a maximum of four signs) – refer to Figure 13.

- c upper level signs (refer to Figure 13):
 - i wall face applied panel sign (c1);
 - ii one projecting vertical sign (c2);
 - iii parapet panel sign (c3).

Permitted Signs: c3 and c1 or c2 – refer to figure 13.

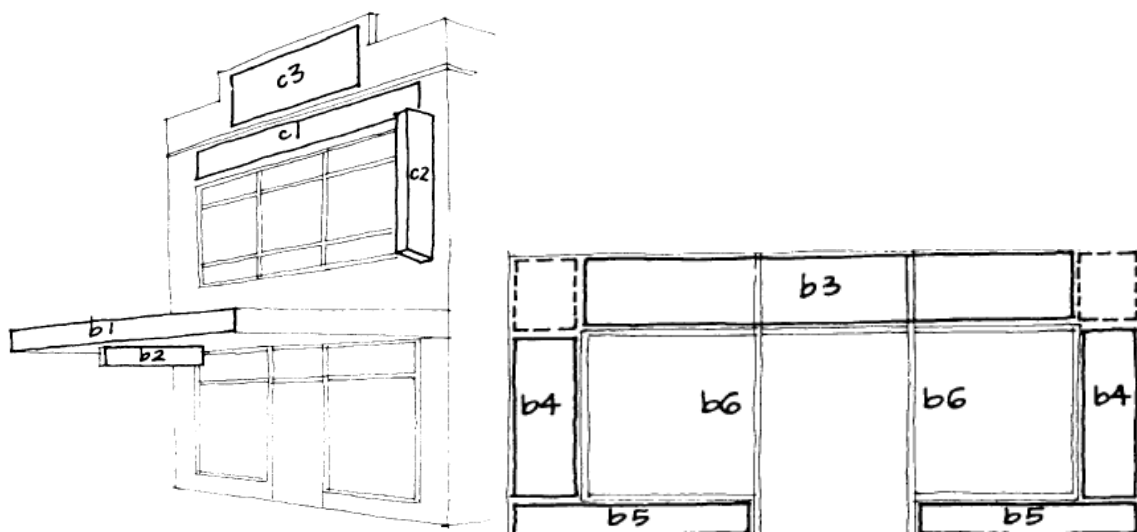


Figure 13 Sign locations

2.9.6 Sign Area

- a In general, there are no standard sizes for signs in heritage areas. They may vary according to the design and history of the building or its environment. The following will be utilised for guidance in applications for buildings which are contemporary or in assessing existing signs:
 - i signs are to be designed to an appropriate size and scale for the building on which it is to be erected;
 - ii the total area of signs mounted parallel to the façade of a building will, in general be less than 4 square metres in area for smaller properties and not more than 6 square metres for larger properties;
 - iii signs suspended beneath awnings or verandahs will be less than 1 square metre in area and not more than 2 square metres on each face;
 - iv signs on shop windows should not exceed 25% of the window area. Window signs shall be of a professional quality, discreet and should not unduly obscure the interior of the building;
 - v the total area of signs on a building will be less than eight square metres.
- b The following conditions apply with regard to these restrictions and exceptions:
 - i for non-standard facades the same principles apply;
 - ii heritage photographs should be utilised to demonstrate specific applications;
 - iii internally illuminated signs are restricted to the under awning location. This is both to be fair to retailers and to ensure visibility;
 - iv it is good retail practice to limit window signs in number and area, thus allowing customers to view the merchandise;
 - v corporate and franchise colour schemes and signs will be considered in relation to the overall colour scheme of the building and must abide by the heritage principles;
 - vi signs shall not be erected directly on top of an awning, roofline or verandah;
 - vii signs that detract from the architectural appearance of the building will not be permitted;
 - viii all signs must be maintained in good condition and repaired within 6 weeks of notification.

2.9.7 Style, Colour and Lettering

- a Corporate colour schemes to buildings are regarded as signage and will not be permitted where in conflict with the other provisions of this section. Corporate image requirements should be adapted to suit the specific site, and should not dominate the character of the building.
- b The style, lettering (font), materials, colours and design of signage should reflect the style and character of the building.
- c Buildings and awnings should not be painted in bright obtrusive colours to attract attention and as a form of advertising.

- d Signs should be painted and externally spot lit. Signs should not be painted on previously unpainted surfaces of significant buildings. Internally lit signs are permitted where this is consistent with the history of the building.
- e For all signage fixed to a building, wording should be restricted to the name and nature of the business. More detailed description of individual products for sale should be restricted to smaller removable panels e.g. sandwich board signs and chalkboard signs.
- f Signs on parapets must be restricted to the name of the building/business, and be located so as to respect the symmetry or grid of the façade.

2.10 Carparking

Development is to ensure that provisions for car parking do not impact on the heritage significance of a building, site or area.

- a Provisions for car parking are to demonstrate that consideration has been given to the following options which must be considered in order of priority:
 - i locate at the rear of the site, with access from a rear lane;
 - ii locate at the rear of the site, with access from the street frontage;
 - iii locate at the side of the principle building, well setback;
 - iv uncovered paved area within the front setback;
 - v street parking;
 - vi open, sympathetically designed carport within the front setback offset to the building elevation.
- b Front garages are strongly discouraged, no matter how sympathetic. They generally obscure views of the main building and break up the established setback line in the street.

2.11 Adaptive Re-use

- a Any proposal involving the adaptive reuse or change of use of a heritage item is to demonstrate that:
 - i the new use requires minimal alterations to significant fabric and building elements, and that any changes to these are reversible or have minimal impact on the heritage significance of the item;
 - ii alterations and/or additions required to support the new use do not obscure the understanding of the building's significant use;
 - iii the significant use can be interpreted;
 - iv any internal changes do not compromise the heritage significance of the external appearance of the building or any significant internal elements;
 - v the introduction of new services will not have a detrimental impact on significant fabric or spaces; and
 - vi the new use is consistent with the management recommendations provided in the Heritage Inventory Assessment Report.

- b The significant use of the building should be interpreted on site. Interpretation of the significant use may include the use of historic artefacts, retention of historic internal layouts, the in situ retention of machinery and signage, or artistic interpretation.
- c Reinstatement of lost heritage significant fabric (e.g. windows, decoration, verandahs, garden elements etc) is encouraged.
- d Changes to fabric should be reversible, where possible, and their effect on the heritage fabric and other characteristic features should be minimised. Non-reversible changes to a heritage item will only be considered where there is no alternative way of retaining the place as a viable asset. New work is to be identifiable as such.
- e New additions and adjacent or related new construction will be undertaken in such a way that, if they are removed in the future, the essential form and integrity of the place is unimpaired.

2.12 Subdivision

Subdivision applications for land either in the vicinity of or on which heritage items are situated shall be accompanied by adequate plans, showing the building envelopes, siting and setbacks of the proposed buildings, and shall demonstrate to Council's satisfaction that:

- a The allotment and building spacing, that is, frontage widths, side and front boundary setbacks, are typical so that vistas and views to and of heritage items, especially the principal elevations of buildings, are not interrupted or obscured and so that the setting of the heritage item and a satisfactory curtilage, including important landscape and garden elements, are retained.
- b The scale and form of proposed new construction or buildings is compatible with and does not detract from the significant heritage characteristics of the items.
- c The subdivision will not require rearranged vehicular access and carparking (on or off the site of the proposal), that would adversely affect the principal elevation of the heritage item.

2.13 Demolition

- a In considering applications for the complete demolitions of buildings or works, Council will assess:
 - i the heritage significance of the building or work, and whether its permanent conservation is considered necessary;
 - ii the opportunities for adaptation and whether the building or work would be incapable of reasonable or economic use where this means that alternative solutions are not viable;
 - iii whether the building or work constitutes a danger to its users or occupiers or to the public; and
 - iv whether in the case of an application for total demolition, 'infill' development is a reasonable alternative to retention.
- b The relocation of heritage items is not supported as the relationship with the place of origin and the integrity of the building are lost.
- c The use of recycled buildings and relocated buildings within a Heritage Conservation Area will only be supported in circumstance where the scale, form, character and use are totally sympathetic with the significance of the area.

2.14 Infill Development

Infill development refers to those buildings adjacent to or in the vicinity of heritage items as well as development within an identified Heritage Conservation Area. The following controls relate to the scale, bulk, siting, form, character, materials and colours and design of infill development:

2.14.1 Character

- a New development of the site is to respond to the character and significance of the heritage item or Heritage Conservation Area.
- b In demonstrating the appropriateness of infill development to the existing historical character of the heritage item or Heritage Conservation Area, the applicant may be required to provide annotated diagrams, photographs and/or sketches to describe the factors which contribute to the character of the historic context (this will depend on the complexity of the new infill development and likely impact), including:
 - i topography of site and its surroundings;
 - ii distinctive landscape elements and quality;
 - iii the date and style of built form;
 - iv the scale and form of the surrounding buildings;
 - v street and subdivision patterns;
 - vi setbacks of the buildings;
 - vii materials, building techniques and details; and
 - viii views, vistas and skylines.

2.14.2 Design

- a The design of new buildings should compliment and not adversely impact on the design characteristics of existing heritage items, particularly adjacent to the site;
- b New buildings and building elements should not mimic traditional styles but rather be sympathetic in design to their context, through appropriate scale, form and materials.
- c Details that contribute to the historic character of the streetscape should be identified and used to inform the design of the new building.

Modern details can reinterpret traditional details and create new relationships between the old and new. This can be seen in the example of commercial heritage infill development in Figure 15 below. The horizontal masonry detailing on the existing building has been picked up in the horizontal detailing of the balconies of the adjoining new development.

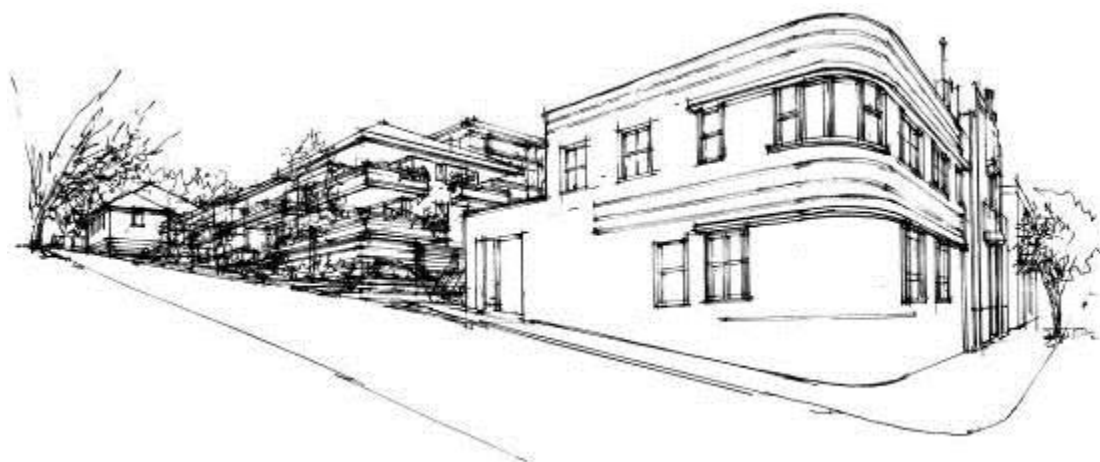


Figure 15 Contextual design

2.14.3 Bulk

In the case of new retail/commercial buildings, the bulk of the building should be divided into narrow and vertical elements reflecting the width of traditional shopfronts and parapets. On corner lots buildings should be splayed to address the corner.

2.14.4 Form

The form of a building refers to its overall shape and volume and the arrangement of its parts. Infill design should be sympathetic with the predominant form of its neighbours. Where a building form is highly repetitive in an area, variations to this form appear discordant.

- a New residential buildings should be sympathetic to the height, proportions, roof pitches and materials of Heritage Items, streetscapes and Heritage Conservation Areas.
- b Infill buildings should respond to, or reinforce, existing ridge or parapet lines, roof slopes and other features such as party walls and chimneys.
- c Annotate drawings, photographs of models or photomontages which describe the relationship between the proposed new development and the context may be required (this will depend on the complexity of the new infill development and likely impact), in terms of the following:
 - i predominant form of neighbours;

- ii roof form and skyline, that is ridge and parapet lines, roof slopes, punctuation by party walls, chimneys and lanterns or skylights;
- iii proportion and number of openings;
- iv solid to void ratios;
- v relationship between internal and external spaces.

2.14.5 Scale

The scale of a building refers to its size in relation to surrounding buildings or landscape. Infill design should recognise the predominant scale (height, bulk, density, grain) of the setting and then respond sympathetically.

- a Any subdivision of lots within a Heritage Conservation Area should reinforce the townscape pattern. Where a subdivision pattern contributes to the significance of a Heritage Conservation Area, consolidation of lots within it will have a negative impact on the place.
- b Infill development must provide appropriate articulation of the elevations to ensure the scale and form of the development is sympathetic and does not dominate the streetscape as demonstrated in the figure below. The larger new development on the left is broken down by the columns and bays of the awning and windows and the building height mimics that of neighbouring development.



Figure 16 Sympathetic scale

2.14.6 Siting

- a New buildings should not be orientated across sites in a manner that is contrary to the established pattern.
- b Where the facades in a streetscape create a more or less continuous line, this pattern of setback should be repeated with new development.
- c Where there is an established pattern of side setbacks that contribute to the character of the streetscape, this should be continued with new development.
- d Modern materials can be used if their proportions and details are sympathetic within the surrounding historic context.
- e Details that contribute to the historic character of the streetscape should inform the design of new buildings.

- f In residential areas, where side access is available, garages and carports should be located behind the front building line to minimise their impact on the streetscape.
- g New fences, garden walls and other landscape treatments in the vicinity of a heritage item or Heritage Conservation Area should not detract from the identified heritage significance. Existing features that contribute to the heritage significance of the streetscape should be retained.

2.14.7 Materials and Colour

- a Use of characteristic materials within the existing area is encouraged in the construction of new buildings.
- b Materials and colours of surrounding buildings should not be copied, but should be reinterpreted in new development.
- c Modern materials can be used provided their proportions and details are harmonious within the surrounding context; colour, texture and tonal contrast can be unifying elements.
- d Annotated drawings, photographs of models or photomontages which describe the relationship between the proposed new development and the context may be required (this will depend on the complexity of the new infill development and likely impact), in terms of the following:
 - i response to predominant materials, textures and colour palette, are they harmonious, complementary or contrasting;
 - ii commensurate quality of new materials to the existing building(s);
 - iii qualities of light and shadow;
 - iv hierarchy of material use, for example, solid masonry base and lightweight upper levels;
 - v relationship between skeleton or structure and skin.

3.0 DEVELOPMENT IN A HERITAGE CONSERVATION AREA

Heritage Conservation Areas are one whole heritage item in their own right. The Character of the Heritage Conservation Area comes from each of the many components of the area (buildings, landscape elements, fences, roads, railway etc) and the relationships formed between these components.

Each component will vary in its contribution to the significance of the Heritage Conservation Area. This contribution needs to be assessed before the degree of change that can be accommodated can be determined. Depending on this determination, some components can be replaced (and may be encouraged to be replaced); some will need to be retained in their current form; while most will be able to grow and change to accommodate contemporary needs provided those changes are designed to also maintain the contribution of the property to the heritage significance of the Heritage Conservation Area.

3.1 General Controls

Development in Heritage Conservation Areas is guided by the provisions of WLEP 2013 and DCP 2013. A Development Application and accompanying Heritage Impact Statement will generally be required work within the Heritage Conservation Area. However, some works may be exempt from requiring Council approval under State Environmental Planning Policy (Exempt and Complying Development Codes). Applicants should refer to this Policy prior to submitting an application for development in a Heritage Conservation Area.

- a Development within a Heritage Conservation Area is to be compatible with the surrounding built form and pattern of development by responding sympathetically to:
 - i existing form, massing, setbacks, scale and architectural style;
 - ii site topography and landscape;
 - iii views to and from the area;
 - iv surrounding neighbourhood character and streetscape, including buildings;
 - v existing subdivision patterns; and
 - vi established building lines.
- b Alterations and additions are not to dominate or detract from the heritage significance of the building or Heritage Conservation Area.
- c Alterations and additions are to respect the uniformity of properties which form part of a consistent row, semi-pair or group of buildings.
- d Development is to respect and minimise the impact on any significant public domain features.
- e Any application for development within a Heritage Conservation Area is to demonstrate consistency with an item's Heritage Inventory Assessment Report where this is available; in particular, any unique management recommendations which are provided in the Report.
- f Features that are present within the Heritage Conservation Area which are out of character with other traditional buildings in the locality should not be replicated.
- g Development within a Heritage Conservation Area is to consider the characteristic forms in the environment and should aim to contribute to the appearance and unity of the streetscape.

3.2 Contribution to the Streetscape

Buildings located within a Heritage Conservation Area contribute to the streetscape in different ways and can be classified into three categories; contributory, neutral, and non-contributory. The definitions and controls for contributory, non-contributory and neutral buildings are provided below.

3.2.1 Contributory Buildings

Contributory Buildings are those that make an important and significant contribution to the character of the Heritage Conservation Area. They have a reasonable to high degree of integrity and intactness, and date from a key development period of significance. They may be buildings which are from a significant historical period; highly or substantially intact; or altered yet recognisable and reversible. Contributory Buildings include all Heritage Items identified in WLEP 2013 and other buildings identified as such in a Heritage Impact Statement or Conservation Management Plan.

The primary objective of all work to contributory buildings should be the maintenance of the item's heritage value, scale, form and significant physical fabric and to ensure that the cultural significance of the place is retained and enhanced. Work to contributory buildings is to demonstrate the following:

- a a focus on the restoration of original elements and features;
- b the retention of significant internal and external fabric of the building;
- c the removal of unsympathetic alterations and additions;
- d the appropriate use of colours and materials;
- e any future use of the place shall be chosen based on its ability to retain its cultural significance;
- f items in the vicinity of the proposed works are not compromised or impacted by the proposed works;
- g individual heritage items are retained;
- h the original form of the building is respected.

3.2.2 Neutral Buildings

a Neutral Buildings are those that neither contribute to nor detract from the significant character of the Heritage Conservation Area. Neutral buildings may include those that do not belong to a key period of significance; are of contemporary design that is compatible with the significant character of the area; or which are from a key period of significance but have been irreversibly altered. The objective of all new work to Neutral Buildings should be to enhance these buildings where appropriate and feasible. The following controls apply to work to neutral buildings:

- i where retention of a neutral building is proposed the original form of the building is to be respected. Alterations and additions are not to dominate the original building form, but enhance it;
- ii for neutral buildings that may relate to the areas historic development, but have been substantially altered restoration may be preferable to new development, depending on the building's context and significance. For this type of building, demolition is to be justified where restoration is not proposed;

- iii where demolition is proposed, justification for the removal of the building is to be demonstrated in accordance with the requirements for demolition within this Chapter.
- b Alterations and additions to buildings identified as 'neutral' should demonstrate the following:
 - i the removal of unsympathetic alterations and additions;
 - ii the appropriate use of colours and materials.

3.2.3 Non-Contributory Buildings

Non-contributory Buildings are those that are aesthetically intrusive to the Heritage Conservation Area due to their inappropriate scale, bulk, setback, setting and/or materials. Such buildings are not representative of a key period of significance and detract from the character of the Heritage Conservation Area. Redevelopment of these sites with sympathetic buildings is highly desirable. The objective of all work to Non-Contributory Buildings should be to remove or minimise detracting elements or to replace the Non-contributory Building with one more sympathetic to the Heritage Conservation Area. The following controls apply to work to neutral buildings:

- a New development should respond to the surrounding context and generally not seek to emulate the features of the detracting building it is proposed to replace.
- b New development that is sensitive to the heritage values and intrinsic character, scale form and materials of the Heritage Conservation Area is encouraged.
- c Alterations and additions to buildings identified as non-contributory should demonstrate the following:
 - i the removal of detracting elements;
 - ii the enhancement of the building.
- d New development should:
 - i maintain opportunities for new buildings which address the character of the streetscape and Heritage Conservation Area generally;
 - ii maintain the scale of existing buildings, where appropriate, or the predominant scale in the vicinity.
- e Any demolition application shall be accompanied by an application for the development of an appropriate replacement building.
- f Replacement or enhancement development is to involve the removal of detracting elements and ensure that the site is more responsive to the surrounding context.

3.3 Wyong Town Centre Heritage Conservation Area

3.3.1 Statement of Significance

The Wyong Town Centre is a fine representative example of a town centre that retains good examples of civic, commercial and residential development of high integrity, constructed up until c.1945. It remains largely intact in terms of retaining its historical subdivision pattern, its natural prominence located above the River, its built fabric, avenue tree planting and the prominence of the Railway and Station buildings. Collectively, the built environment, transport links and natural features of the town centre contributes to it being a unique precinct that captures the historical development of an important town and one which retains its historical setting and character. The town centre retains examples of its historic development across a broad range of historic themes including Aboriginal heritage, European heritage, other cultural and social heritage, natural heritage and themes such as transport, agriculture, commerce, education, health, government and law and order. The Heritage Conservation Area is of historic, aesthetic, technical and cultural significance. Given its level of intactness and integrity, it is of high local heritage significance.

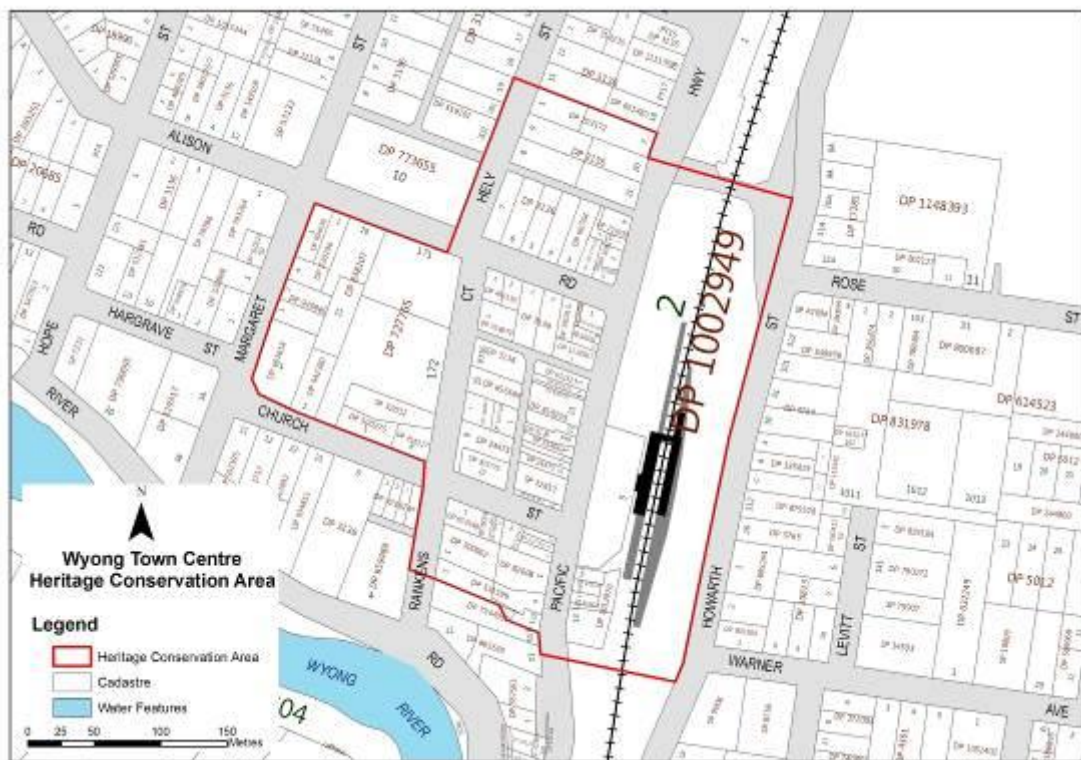


Figure 17 Wyong Town Centre Heritage Conservation Area

3.4 Oakland Avenue Heritage Conservation Area

3.4.1 Statement of Significance

The Oakland Avenue area is a fine representative example of a residential precinct that retains good examples of housing constructed up until c.1950 of high integrity. The streetscape remains largely intact in terms of retaining the historical narrow lot subdivision pattern, the natural features located on rising ground away from the river, and simply built vernacular house designs with short garden settings. Collectively, the buildings and gardens contribute to it being a distinctive area that captures the historical development of a representative type of residential development that retains its historical setting and character. The streetscape is linear and single sided and provides the Heritage Conservation Area with historic, aesthetic and cultural significance. Given the level of intactness and integrity, the area is of high local heritage significance.



Figure 18 Oakland Avenue Heritage Conservation Area

4.0 CULTURAL LANDSCAPES

Cultural landscapes exist both as an artefact and as a system. A cultural landscape will always comprise of at least some natural elements, meaning that it continues to evolve and change. Cultural landscapes often also extend beyond land tenure boundaries. The identification of values within a cultural landscape should be identified firstly through historical research, *and then* compared to the features on the ground, rather than the reverse. Cultural landscapes include homesteads and farmlands, as well as remnant native vegetation, Aboriginal sites and places, wetlands, early settlements, disused cemeteries, defunct industrial complexes and so on. These cultural landscapes preserve cultural values and ecological diversity, while offering economic gain through continued agriculture and tourism and considerable scenic and amenity value to local areas and daily life.

The following controls apply to a heritage items that have been identified as a cultural landscape:

- a development proposals are to be accompanied by research indicating the origins and historical development pattern;
- b a formal Heritage Impact Statement is to be prepared and submitted with Applications for development;
- c significant buildings, structures and landscape elements are to be retained with sympathetic adaptive re-uses;
- d new development is to be sympathetic in scale, form, character and materials;
- e new development is to allow a suitable curtilage around the significant retained elements;
- f protect and enhance views to and from the significant elements;
- g interpretation is to be provided to illustrate the heritage significance of the place.

5.0 NATURAL HERITAGE

Natural heritage is distinct from cultural heritage and generally refers to natural areas which demonstrate the dynamic ecological processes, biodiversity and/or geodiversity of a place. However, natural heritage may also have cultural significance.

The Australian Natural Heritage Charter is intended to achieve a uniform approach to conservation of places of natural significance in Australia that can be applied to public and privately-owned places, to terrestrial, marine or freshwater areas, and to protected and unprotected areas. In cases where a heritage item is identified as having natural heritage significance applicants should refer to 'Protecting Natural Heritage - Using the Australian Natural Heritage Charter' Guideline developed by the Australian Heritage Commission. The following requirements apply to heritage items that are identified as having natural heritage significance:

- a a Heritage Impact Statement is to be prepared and submitted with an application for development;
- b development proposals are to be accompanied by research indicating the origins and historical development pattern of soft plantings, and hard materials and finishes within landscapes;
- c significant plantings, structures, water bodies and landscape elements are to be retained with sympathetic adaptive re-uses and complementary planting;

- d new development is to enhance and improve natural systems through reducing erosion, pollution and other detracting activity;
- e new landscape and planting and infill development is to be sympathetic in scale, form, character and materials;
- f new development is to allow a suitable curtilage around the significant retained elements;
- g new development is to protect and enhance vistas/views to and from the significant elements;
- h exotic planting is to be retained where the planting has historic and aesthetic significance;
- i new development is to support fauna habitats within the natural system evident on the site and vicinity;
- j development is to respect and complement the soils and hydrology in the vicinity;
- k interpretation is to be provided to illustrate the heritage significance of the place.

6.0 INCENTIVE PROVISIONS

6.1 Carparking and Floor Space Ratio Exclusions

Applications for development of heritage items may vary car parking and floor space ratio requirements provided that the variation ensures the retention and continued use of the heritage item. Applications which seek to vary car parking and floor space ratio requirements are considered on individual merit.

- a When considering an application for consent to erect a building on land on which a heritage item that is a building is located, the Council may, for the purpose of determining:
 - i the floor space ratio, and
 - ii the number of parking spaces to be provided on the site, exclude the floor space of the heritage item from its calculation of the floor space of the buildings erected on the land, but only if the Council is satisfied that the conservation of the heritage item depends on it making the exclusion.